



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on 4-6-00  
Name of Person Mailing Paula F. Durr  
Signature of Person Mailing Paula F. Durr

TO Rec'd

12 APR 2000

RECEIVED

25 MAY 2000

Legal Staff  
International Division

Case CM1189Q

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
Achim Schmitt :  
Serial Nos. 09/155,610 and :  
09/242,014 : Group Art Unit  
Filed March 27, 1997 : Examiner  
For DISPOSABLE ABSORBENT :  
ARTICLE WITH WINGS  
PREDISPOSED TOWARD  
THEIR IN-USE POSITION

RECEIVED

APR 14 2000

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT  
OR ALTERNATIVELY TO REVIVE  
UNINTENTIONALLY ABANDONED APPLICATION

Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

The Applicants respectfully petition the Commissioner of Patents to withdraw the Notification of Abandonment mailed on January 19, 2000 because the Patent Office has mixed up the serial numbers to two applications and erroneously determined that the Applicant failed to respond to the Notification of Missing Requirements.

Statement of Facts

The Notification of Abandonment mailed January 19, 2000, indicates that Applicant failed to respond to the Notification of Missing Requirements mailed April 28, 1999.

The Notification of Abandonment is in error, however, because the Applicant timely filed a Declaration and Power of Attorney on April 5, 1999. A copy of the Transmittal Letter and Declaration filed by Applicant, and the return post card indicating receipt of the same by the U.S. Patent Office are attached hereto as Exhibits "A" and "B", respectively. The Notification of Missing Requirements, however, had one serial number,

Serial No. 09/242,014, and the filing receipt for the present application, a copy of which is attached as Exhibit "C", assigned another serial number, Serial No. 09/155,610.

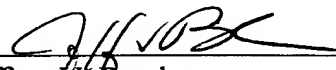
The Patent and Trademark Office has mixed up the serial numbers between two applications. The pending application should be entitled "Disposable Absorbent Article With Wings Predisposed Toward Their In-Use Position." The filing receipt for the present application was assigned Serial No. 09/155,610. However, the filing receipt erroneously indicates that the title to the present invention is "Device and Method for Fixing and Protecting Semiconductor Wafers", and that the foreign priority document is from Denmark. This is obviously a reference to another company's application. The Notification of Abandonment refers to the attorney docket number for the present application, but gives it a different serial number, Serial No. 09/242,014. The present Notification of Abandonment may have even been sent to The Procter & Gamble Company, assignee of the present application, incorrectly, and should have been sent to the owner of the application entitled "Device and Method for Fixing and Protecting Semiconductor Wafers." Further, this other company may not even have received the Notification of Missing Requirements since it apparently was sent to Procter & Gamble in error.

Memorandum

Since the Applicants did timely file a Declaration, the Notification of Abandonment is improper and should be withdrawn.

Please charge any fees associated with this petition to Deposit Account No. 16-2480. A duplicate copy of this petition is included for this purpose. However, Applicants request that this petition be granted without any fees since the Notification of Abandonment was improperly issued.

Respectfully submitted,

By   
Jeffrey W. Bamber  
Attorney for Applicant(s)  
Registration No. 31,148  
(513) 634-2727

4/6, 2000  
Cincinnati, Ohio

CM1189Qpetition withdrawal abandonment.doc